

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB00-716-D; 600.016)

Gr 1632
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TECH CENTER 1600/2900

In the Application of:

Beigelman, et al.

Serial No. 10/043,951

Filed: January 11, 2002

For: METHOD FOR SYNTHESIZING NUCLEOSIDES,
NUCLEOSIDE DERIVATIVES AND NON-
NUCLEOSIDE DERIVATIVES

Examiner: not yet known

Art Unit: 1632

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

- ☒ Information Disclosure Statement;
- ☒ Copies of References Cited (5 References);
- ☒ PTO-1449 Form;
- ☒ Return Receipt Postcard.

2. With respect to additional fees:

- ☒ No additional fee is required.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on December 2, 2002.

By:

Stephen H. Docter

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Dec
12/9/02

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure provided by 37 C.F.R. §1.56 and §§1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that each document cited (including any cited in applicant's specification (which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. §1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §§ 102 or 103.

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby certifies that each item of information cited in the present Information Disclosure Statement was cited in an International Search Report from the International Searching Authority in a counterpart international application no more than three months prior to the filing of the present Information Disclosure Statement.

CITED REFERENCES

FOREIGN PATENT DOCUMENTS

1. WO 97/26270 July 24, 1997 PCT -

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

2. Grotli et al., "2'-O-(Carbamoylmethyl) oligoribonucleotides," Tetrahedron 55:4299-4314 (1999) -
3. Grotli et al., "Protection of the Guanine Residue During Synthesis of 2'-O-alkyl-guanosine Derivatives," J. Chem. Soc., Perkin Trans. 1:2779-2788 (1997) ✓
4. Karpeisky et al., "2'-O-Methylthiomethyl Modifications in Hammerhead Ribozymes," Nucleosides & Nucleotides 16:955-958 (1997) -

5. Wada et al., "Regioselective Protection of the 2'Hydroxyl Group of *N*-Acyl-3',5'-*O*-di(*t*-butyl)silanediylnucleoside Derivatives by Use of *t*-BuMgCl and 2-(Trimethylsilyl)ethoxymethyl Chloride," Tetrahedron Letters 36:1683-1684 (1995)

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: December 2, 2002

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